# COUNTY OF LOS ANGELES
# SHERIFF'S DEPARTMENT

## INVESTIGATIVE SUMMARY

**INCIDENT:** **Category 3 Use of Force, Dislocated Fractured Left Elbow**

**IAB FILE NUMBER:** **FO 2449062**

**DATE/ TIME:** **February 18, 2018 / 2324 Hours**

**LOCATION:** [redacted] **East Avenue H-6, Lancaster, CA 93535**

**SYNOPSIS:**

On February 18, 2018, Internal Affairs Bureau (IAB) Sergeants Maricela Castillo and John Adams, responded to Lancaster Sheriff's Station regarding a Category-3 use of force, wherein Mr. Michail Clutter (Suspect Clutter) sustained a dislocated and fractured left elbow. Sergeant Maricela Castillo was assigned the force review.

**SUMMARY:**

On February 18, 2018, at approximately 2324 hours, Lancaster deputies responded to an emergency call regarding a Spousal Assault in-progress at [redacted] East Avenue H-6, Lancaster (Tag #LAN18049-0415). Deputy Jim Devoe (Unit 112D/PM) was the handling unit, and Deputy [redacted] (Unit 112T2/EM) was the assisting unit. Sergeant John Goedecke (Unit 110S/EM) and Deputy [redacted] (Unit 111/EM) heard the radio transmission and assigned themselves to the call. This emergent call-for-service was voiced on Dispatch 9 (the main radio frequency), and the responding deputies coordinated their response on L-TAC **[EXHIBIT A]**.

> **IAB Note**: Dispatch 9 is the assigned working frequency for Lancaster Sheriff's Station, while L-TAC is the local tactical frequency used by the field units.

Before the deputies arrived at the location, the following updates were provided by the informant (later identified as Witness [redacted], "DP MW/A IS AT LOCATION IN THE LIVING ROOM; DP (MICHAEL CLARK); IS ON NARCO. DP WAS THROWING THINGS AROUND LOC; DP IS THREATENING INF IF SHE DOES NOT DO SEXUAL ACTS; DP THREATENED TO KILL INF'S DOGS; DP HAS A KNIFE ON HIM..." The responding units were also advised that Suspect Clutter had a no bail warrant for a

weapon violation - Felon in Possession of a Weapon, 29800 (A) (1) P.C.
Deputies [redacted] and Devoe arrived at the location within six minutes of receiving the call. They saw a male (Suspect Clutter) standing in the front yard yelling in their direction. They used their patrol vehicles' spotlights to illuminate him. Suspect Clutter stood in the middle of a [redacted] approximately 30 feet south of the front door of the residence. Suspect Clutter paced back and forth and appeared to be agitated.

The deputies maintained a safe distance from Suspect Clutter and tried to de-escalate the situation by talking to him calmly and assuring him that everything would be okay. Suspect Clutter challenged the deputies' legal authority to enter his land. He asserted he would defend himself if the deputies were to touch him. Both deputies maintained discipline and a safe distance from Suspect Clutter while they waited for additional deputies and Sergeant John Goedecke (Unit 110S) to arrive. When Deputy [redacted] arrived, he joined Deputies Devoe and [redacted] in their attempts to de-escalate the situation. Suspect Clutter, however, continued to yell at them and refused to cooperate.

At 2335 hours, Sergeant Goedecke arrived at the location and received a briefing from Deputy [redacted] Sergeant Goedecke personally checked and confirmed a no bail warrant had been issued for Suspect Clutter's arrest under XNOMA0605400A **[MISCELLANEOUS]**. Sergeant Goedecke assigned a Taser to Deputy [redacted] and instructed Deputy Devoe and [redacted] that they were the contact team. Sergeant Goedecke informed Suspect Clutter he had a no bail warrant for his arrest; however, Suspect Clutter remained argumentative and refused to surrender peacefully **[EXHIBIT B]**. While Sergeant Goedecke was talking to Suspect Clutter, Deputy [redacted] contacted Witness [redacted] to check on her welfare and obtain her statement.

After ten to fifteen minutes of failed negotiation, Sergeant Goedecke began videotaping their interactions with Suspect Clutter. On tape, Deputy [redacted] was seen exiting the residence and walking behind Suspect Clutter toward Sergeant Goedecke's position. Again, Sergeant Goedecke informed Suspect Clutter of the arrest warrant. Suspect Clutter immediately challenged the validity and/or authenticity of the warrant. Sergeant Goedecke opined Suspect Clutter was under the influence of a controlled substance based on his erratic behavior. Sergeant Goedecke and the deputies formed a semi-circle in front of Suspect Clutter. As Suspect Clutter turned to walk toward his front door, Sergeant Goedecke directed Deputies [redacted] and Devoe to grab Suspect Clutter's arms. Suspect Clutter walked away and went past Deputy [redacted] in the northeasterly direction toward his house. Fearing Suspect Clutter was going to enter the house to arm himself with a weapon, Sergeant Goedecke said, "Don't let him go back inside." Deputy [redacted] quickly moved to the front porch of the residence to block Suspect Clutter's path. Seeing Deputy Devoe following Suspect Clutter, Sergeant Goedecke told Deputy Devoe to slow down, because he did not want Deputy Devoe to take independent action. As Suspect Clutter approached the front door, Deputy [redacted] extended his arm and placed his hand on Suspect Clutter's chest to stop him from moving forward.

At this point, Sergeant Goedecke directed Deputies [redacted] and Devoe to grab Suspect Clutter and take him to the ground. Deputy [redacted] grabbed Suspect Clutter's right wrist with his right hand and placed his left hand under Suspect Clutter's armpit to have a better control of Suspect Clutter's right arm. Deputy Devoe grabbed Suspect Clutter's left bicep with both hands. Deputy Devoe placed his left leg in front of Suspect Clutter's legs and pulled his left arm downward, causing Suspect Clutter to lose his balance. Suspect Clutter fell face down onto the [redacted] The deputies maintained control of Suspect Clutter's arms as they also went to the ground. All the while, Suspect Clutter resisted by trying to pull his arms away and kicking his legs. Sergeant Goedecke told Suspect Clutter to stop fighting the deputies as Suspect Clutter continued to yell incoherently.

At this time, Deputy [redacted] moved down to hold Suspect Clutter's knees in place with his hands. He then transitioned his body to place his shins on the back of Suspect Clutter's knees to prevent him from kicking at them. Deputy [redacted] secured Suspect Clutter's right arm at the small of his back while Suspect Clutter continued to pull his left arm away from Deputy Devoe. Once Deputy Devoe moved Suspect Clutter's left arm to the small of his back, they handcuffed him without further incident. Soon thereafter, Suspect Clutter's aggressive demeanor diminished, and he became more cooperative.

Suspect Clutter complained of pain to his left arm. The deputies rolled Suspect Clutter onto his right side to alleviate his complaint of pain. Suspect Clutter stayed on his right side until the paramedics arrived to medically assess his condition. The deputies reported the use of force to their supervisors and documented their actions under report #018-03348-1135-053 **[Exhibit C]**.

Deputy Devoe contacted Witness [redacted] and learned Suspect Clutter had become physically aggressive toward her when her husband was not home. Suspect Clutter threatened to kill her, her husband, and poison her fish if she did not perform sexual acts on herself for his viewing pleasure.

Suspect Clutter was transported to Antelope Valley Hospital, where he was treated by Doctor Travis Deuson for a dislocated fractured left elbow. Suspect Clutter was medically cleared for booking **[EXHIBIT D]**.

## INVOLVED EMPLOYEES AND WORK HISTORY:

**Deputy Jim Devoe** [redacted]
North Patrol
Lancaster Station

| | |
|---|---|
| Date of Employment: | February 12, 2015 |
| Dates Assigned to Lancaster Station: | March 19, 2017 through present |
| Patrol Training Completion: | [redacted] |
| Date Assigned to current unit: | March 19, 2017 |

Prior Founded Force Incidents: [redacted]
Prior Shooting Incidents:



**EQUIPMENT**: Duty belt with handgun, magazines, pepper spray, handcuffs and radio.

**Deputy** [redacted]
North Patrol Division
Lancaster Station
Date of Employment: April 17, 2014
Date Assigned to unit: June 5, 2016 (Lancaster Station)
Patrol Training Completion: [redacted]
Prior Founded Force Incidents:
Prior Shooting Incidents
**EQUIPMENT:** Duty belt with handgun, magazines, pepper spray, handcuffs and radio.

**Deputy** [redacted]
North Patrol Division
Lancaster Station
Date of Employment: August 21, 2017
Date Assigned to unit: March 19, 2017
Patrol Training Completion: [redacted]
Prior Founded Force Incidents:
Prior Shooting Incidents

**EQUIPMENT:** Duty belt with handgun, magazines, pepper spray, handcuffs and radio.

**SUSPECT INFORMATION:**

| | |
|---|---|
| Name: | Michail Clutter |
| Sex: | Male |
| Race: | White |
| Height: | 6 Feet |
| Weight: | 190 Pounds |
| Date of Birth: | October 15, 1959 |
| Booking Number: | 5236845 |
| Home Address: | [redacted] |
| CII# | |
| Main# | |
| FBI# | |

## SUSPECT INJURIES:

Suspect Clutter was diagnosed with a dislocated left elbow, abrasion to the left knee, right index and middle fingers. The treating physician confirmed his injuries were consistent with the type of force used.

## DEPUTY INJURIES:

No deputies were injured as a result of contact with Suspect Clutter.

## PHYSICAL EVIDENCE:

There was no physical evidence collected at the scene of this incident.

## INVESTIGATIVE OBSERVATIONS:

None.

## WEAPONS USED BY DEPUTY PERSONNEL:

Deputies Devoe, [redacted] and [redacted] used personal weapons (hands) to control, conduct a takedown, and handcuff Suspect Clutter.

## WEAPONS USED BY SUSPECT:

The suspect used personal weapons (hands) to resist arrest.

## PROPERTY DAMAGE:

There was no property damaged as a result of this incident.

## LIGHTING AND WEATHER CONDITIONS:

The incident occurred during nighttime hours. The weather was cold and windy.

## CRIMINAL INVESTIGATION AND CHARGES FILES:

Suspect Clutter was charged with Assault with a Deadly Weapon, 245 (A)(1) P.C., Attempted Penetration with a Foreign Object, 664/289 (a)(1)(A) P.C., Cruelty to Animals, 597 (c) P.C. and Possession of Drug Paraphernalia, 11364 (1)(a) H.S.

On May 23, 2018, a guilty verdict for Cruelty to Animals, 597 (A) P.C. was entered into record, and the remaining charges were dismissed due to a plea negotiation. Suspect Clutter was sentenced to serve 180 days. He was additionally ordered to serve 52

months in prison for the no bail warrant **[Miscellaneous Documents]**.

## WITNESS STATEMENTS:

*The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews or the digitally recorded video and verbatim transcriptions submitted with this case.*

## SERGEANT JOHN GOEDECKE

On October 25, 2018, IAB Sergeants Maricela Castillo and Israel Renteria interviewed Sergeant John Goedecke at the Internal Affairs Bureau office. The interview was digitally recorded and transcribed. The interview transcript was included with this case. The following is a summary of the interview.

Sergeant Goedecke worked as the early morning shift field sergeant (110S) when the deputies responded to an assault in-progress call. As he heard the given updates, Sergeant Goedecke assigned himself to the call due to its potential violent nature. Upon his arrival, Sergeant Goedecke saw Deputies Devoe and [redacted] speaking with Suspect Clutter in the front yard. Suspect Clutter was yelling vulgarities at the deputies and telling the deputies to leave his property **(Transcript, Goedecke, page 8)**. Deputy [redacted] approached and informed him that Suspect Clutter had a no bail warrant for his arrest. Deputy [redacted] reported Suspect Clutter was also very uncooperative toward everyone. Sergeant Goedecke personally checked the arrest warrant for its validity and assigned a Taser to Deputy [redacted]. Sergeant Goedecke attempted to negotiate with Suspect Clutter for his peaceful surrender. However, Suspect Clutter refused to cooperate and told them to get off his property. Sergeant Goedecke estimated the total time he spent negotiating with Suspect Clutter was about fifteen minutes. Afterward, Sergeant Goedecke utilized his handheld camera to videotape the incident. At this point, Sergeant Goedecke believed Suspect Clutter displayed signs and symptoms of a person under the influence of a stimulant **(Transcript, Goedecke, page 11)**.

Sergeant Goedecke and the deputies formed a semi-circle in front of Suspect Clutter. He directed Deputy [redacted] to grab Suspect Clutter's right arm and Deputy Devoe to grab Suspect Clutter's left arm. Suspect Clutter reacted by walking backward, and he said, "If you touch me, you're going to have to kill me to take me to jail" **(Transcript, Goedecke, page 14)**. Suspect Clutter briskly walked toward his house as he made the threats. Seeing Deputy Devoe moving too quickly toward Suspect Clutter, Sergeant Goedecke told Deputy Devoe to slow down. Sergeant Goedecke did not want Deputy Devoe to engage in a one-on-one fight with Suspect Clutter. Sergeant Goedecke also noticed Deputy [redacted] had moved up toward the front door of the location. He instructed the deputies not to let Suspect Clutter enter his house. Deputy [redacted] moved to the front porch and blocked Suspect Clutter's path. When Suspect Clutter

approached Deputy [redacted] Sergeant Goedecke instructed the deputies to grab Suspect Clutter and take him to the ground.

Sergeant Goedecke saw Deputy Devoe grab Suspect Clutter's left arm and Deputy [redacted] grab Suspect Clutter's right arm. When Suspect Clutter resisted, Deputy Devoe pulled Suspect Clutter's left arm in a downward motion, guiding him away from the concrete porch and onto the dirt area. The deputies maintained their control on Suspect Clutter's arms when they fell to the ground. Suspect Clutter continued to resist by trying to pull his arms away from the deputies and kicking his feet. He recalled Deputy [redacted] placed his body on top of Suspect Clutter's legs/buttock area to stop him from kicking. Deputies [redacted] and Devoe managed to move Suspect Clutter's wrists behind his back and handcuffed him without further incident.

**WITNESS [redacted]**

On February 18, 2018, IAB investigators interviewed Witness [redacted] at the location. The interview was digitally recorded and transcribed. The interview transcript was included with this case. The following is a summary of the interview.

Witness [redacted] and her husband, [redacted] from Suspect Clutter. While her husband was away, Suspect Clutter suddenly became aggressive with her. He threatened to kill her, her husband, and her fish if she did not perform sexual acts on herself for his viewing pleasure (**[redacted] Transcript, page 1**). During this ordeal, Witness [redacted] called 911 three times. After each 911 call, Suspect Clutter would leave the house before the deputies arrived. Suspect Clutter eventually returned and confronted Witness [redacted] in her bedroom. Once he walked out of her bedroom, she locked the door and called 911 again. This time, the 911 operator advised her to remain on the line and in the room until the deputies arrived. A few minutes later, she heard sounds of a siren and saw flashing emergency lights of the approaching patrol vehicles. She stayed in her room until the 911 operator told her it was okay to answer the front door.

When she opened the front door, she saw Suspect Clutter standing in the front yard with his back toward her. She saw three to four deputies were standing in a half moon shape, facing Suspect Clutter. She heard Suspect Clutter yell and argue with the deputies; however, she could not hear their conversations. One of the deputies (Deputy [redacted] entered the house to check on her well-being. As Witness [redacted] and the deputy stood in the hallway, she heard Suspect Clutter tell the other deputies to, "Get off his property." The deputy told her to "hold on a second," and he walked toward Suspect Clutter (**[redacted] Transcript, page 6)**.

Witness [redacted] stood in the hallway, approximately 20 feet from the front door, and saw Suspect Clutter walk away from the deputies toward the living room window. As Suspect Clutter approached the front door, she heard deputies telling him to stop several times. Suspect Clutter said the deputies did not have jurisdiction over him and

continued to walk toward the front porch. At this time, the deputies "grabbed" and "tackled" Suspect Clutter ([redacted] **Transcript, page 19)**. Witness [redacted] did not see how the deputies grabbed him or what occurred afterward, because they moved out of her view ([redacted] **Transcript, page 11)**. Witness [redacted] heard Suspect Clutter yell out her name and say his arm was broken. Witness [redacted] believed Suspect Clutter would have entered the residence and locked the door behind him if the deputies did not stop him in time ([redacted] **Transcript, page 6)**. She later heard a sergeant inform Suspect Clutter that the paramedics had been called.

**SUSPECT MICHAIL CLUTTER**

On February 18, 2018, IAB Investigators contacted Suspect Clutter at the Antelope Valley Hospital. The interview was digitally recorded and transcribed. The interview transcript was included with this case. The following is a summary of the interview.

Suspect Clutter said he [redacted] o Witness [redacted] and her husband. He argued with Witness [redacted] because she was hoarding stolen items on his property. During the argument, Witness [redacted] locked herself in her bedroom and called the police. Later, four deputies arrived to his house. Suspect Clutter opined his residence is on a private road; therefore, the deputies were trespassing. He told the deputies to leave his property **[Transcript, Clutter, page 2]**. Suspect Clutter attempted to enter his house to retrieve his identification for the deputies when they ordered him to stop. The deputies said they would retrieve his identification for him. Suspect Clutter did not want any deputy to enter his house. He told the deputies that they needed a search warrant **[Transcript, Clutter, page 9]**. When he walked to the front door, a deputy (Deputy [redacted] placed his hand on his (Suspect Clutter's) neck area. A second deputy grabbed his left arm and pulled him toward the ground. Suspect Clutter fell to the ground, face down, after which two deputies landed on top of him. Suspect Clutter then heard "a pop" to his arm or shoulder. He said two additional deputies placed their weight on top of his body and ordered him to stop resisting.

> **IAB Note:** Suspect Clutter believed two additional deputies placed their body weight on his body; however, Deputy [redacted] was the third deputy to control his legs.

Suspect Clutter said one of the deputies (Deputy Devoe) twisted his left arm behind his back and pulled it up toward his head **[Transcript, Clutter, page 10]**. Suspect Clutter said he heard a second pop and felt pain to his left elbow. Suspect Clutter received medical treatment at the scene before he was transported to the Antelope Valley Hospital for further treatment.

## INVOLVED EMPLOYEE STATEMENTS:

*Internal Affairs Bureau investigators interviewed the following involved Department personnel. The interviews were digitally recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcriptions.*

## DEPUTY JIM DEVOE

On December 7, 2018, IAB Sergeant Maricela Castillo interviewed Deputy Devoe at the Internal Affairs Bureau office. The interview was digitally recorded and transcribed. He was represented by Steven Welch, Legal Representative, from the Rains Lucia and Stern Attorney Office. The interview transcript was included with this case. The following is a summary of the interview.

On February 18, 2018, Deputy Devoe was assigned as Unit 112D on PM shift. He heard an emergency call regarding an assault in-progress at [redacted] East Avenue H-6, Lancaster. Deputy Devoe was given the handle on this call, and Deputy [redacted] was assigned as the assisting unit. Deputy Devoe coordinated their response on L-TAC, and requested Sergeant Goedecke respond directly to the location.

As they responded Code 3 to the location, he received the following updates: the disturbance party had hunting knives at the residence, and he was on "narcotics." He also heard Suspect Clutter had a no bail warrant for his arrest. Deputies Devoe and [redacted] drove in tandem to the location and utilized their vehicles' spotlights to illuminate the area. They saw Suspect Clutter standing in the yard, yelling at them in an aggressive manner. Deputies Devoe and [redacted] maintained a distance of approximately 10 feet from Suspect Clutter as they talked to him **(Devoe, Transcript, page 18)**.

Both deputies attempted to de-escalate the situation while they were waiting for additional deputy personnel and Sergeant Goedecke to arrive. Suspect Clutter constantly challenged their legal authority to enter his property, and he refused to cooperate with them. Deputy Devoe believed Suspect Clutter was under the influence of a stimulant due to his inability to stand still, "amped" behavior, and rapid speech **(Devoe, Transcript, page 6)**. Once Deputy [redacted] and Sergeant Goedecke arrived to the location, they also attempted to de-escalate the situation. Suspect Clutter would not listen to their instructions and made demands for them to leave his property. Deputy Devoe conducted a records check and confirmed Suspect Clutter had a no bail warrant for his arrest - Felon in Possession of a Weapon, 29800 (A)(1) PC., and Possession of Prohibited Ammunition, 30305 (A) (1) PC, under XNOMA0605400A **[MISCELLANEOUS]**.

Deputy Devoe recalled Sergeant Goedecke videotaped the incident and informed Suspect Clutter that he had a no bail warrant for his arrest. Suspect Clutter remained

argumentative and refused to cooperate. Sergeant Goedecke directed him to grab Suspect Clutter's left arm and Deputy [redacted] to grab Suspect Clutter's right arm. As he approached Suspect Clutter, Suspect Clutter backed away, going north toward the front porch. Deputy Devoe saw Deputy [redacted] walk toward the front porch and position himself directly by the front door to prevent Suspect Clutter from entering the house. As Suspect Clutter kept his focus on Deputy [redacted] Deputy Devoe grabbed Suspect Clutter's left arm with his right hand and Suspect Clutter's left wrist with his left hand. Deputy Devoe planted his left foot in front of Suspect Clutter's legs, as Deputy [redacted] simultaneously grabbed Suspect Clutter's right arm. Suspect Clutter resisted by pulling his left arm away from Deputy Devoe; however, Deputy Devoe lowered his body and pulled Suspect Clutter's left arm in a downward motion. He guided Suspect Clutter's downward movement away from the concrete front porch and onto the dirt area. Suspect Clutter fell face down on the ground.

While he was on the ground, Suspect Clutter tried to pull his arm away and kick his legs to get up. After they secured Suspect Clutter's arms behind his back, Deputy Devoe handcuffed Suspect Clutter without further incident. Deputy Devoe vaguely remembered Deputy [redacted] straddled Suspect Clutter's legs to prevent him from kicking. Suspect Clutter's aggressive demeanor eventually diminished, and he became cooperative thereafter. Suspect Clutter complained of pain to his left arm and said his left arm was broken. Deputy [redacted] requested paramedics to the location. Suspect Clutter was later transported to the Antelope Valley Hospital for further treatment.

**DEPUTY [redacted]**

On December 7, 2018, IAB Sergeants Maricela Castillo and John Gutierrez interviewed Deputy [redacted] at the Internal Affairs Bureau office. The interview was digitally recorded and transcribed. He was represented by Steven Welch, Legal Representative, from the Rains Lucia and Stern Attorney Office. The interview transcript was included with this case. The following is a summary of the interview.

On February 18, 2018, Deputy [redacted] was assigned as Unit 112T2 on early morning shift. He responded to an emergent call-for-service, regarding an assault in-progress, at [redacted] East Avenue H-6, Lancaster. Deputies [redacted] and Devoe received authorization to respond Code 3 to the location. While he was driving to the location, Deputy [redacted] heard several updates, such as Suspect Clutter was throwing objects in the living room and he was possibly in possession of knives. Deputy [redacted] believed a dispatcher also advised them about a felony warrant for Suspect Clutter's arrest.

Deputies Devoe and [redacted] arrived to the location together. He saw Suspect Clutter standing in the front yard. When Suspect Clutter approached them in an angry manner, Deputy [redacted] ordered Suspect Clutter to stop walking toward them. Suspect Clutter complied and stood about 10 feet away. Deputy [redacted] informed him the reason for their being at his house. Suspect Clutter challenged their legal authority and ordered

them to leave his property at once [redacted] **Transcript, page 7)**. Deputies [redacted] and Devoe made several attempts to de-escalate the situation; however, Deputy [redacted] believed Suspect Clutter could not comprehend their orders, because he was under the influence of a controlled substance [redacted] **Transcript, page 16)**. Deputy [redacted] requested additional units to their location. A short time later, Sergeant Goedecke arrived and tried to de-escalate the situation by talking to Suspect Clutter for approximately five minutes. Suspect Clutter refused to listen and surrender to Sergeant Goedecke.

At one point, Sergeant Goedecke videotaped the incident and directed Deputies Devoe and [redacted] to grab Suspect Clutter's arms. As they made their approach, Suspect Clutter backed away toward the front porch of his residence. Deputy [redacted] positioned himself by the front door to prevent Suspect Clutter from entering the house. Suspect Clutter eventually approached the front door. Believing Suspect Clutter was going to push him away into the residence, Deputy [redacted] placed his hand in front of Suspect Clutter's chest to stop him moving forward [redacted] **Transcript, page 19)**.

When Deputy Devoe grabbed Suspect Clutter's left arm, Deputy [redacted] grabbed Suspect Clutter's right arm with his right hand. Deputy [redacted] placed his left hand under Suspect Clutter's armpit, by the elbow, to better control his movements. Suspect Clutter resisted by trying to pull his arms away. At this time, Deputy Devoe pulled Suspect Clutter's left arm in a downward motion, and guided his fall away from the concrete porch toward the dirt area. Suspect Clutter fell face down to the ground. Suspect Clutter resisted by kicking his legs and pulling his arms away from them. He recalled Deputy [redacted] moved in to control Suspect Clutter's legs. Once they pulled Suspect Clutter's arms to the small of his back, they handcuffed him without further incident. Suspect Clutter's aggressive demeanor diminished, and he became cooperative. Deputy [redacted] recalled Suspect Clutter complained of pain to his left arm and that it was broken. Suspect Clutter was treated by paramedics at the scene, and he was transported to Antelope Valley Hospital for further treatment.

**DEPUTY [redacted]**

On December 7, 2018, IAB Sergeants Maricela Castillo and Luan Dang interviewed Deputy [redacted] at [redacted] The interview was digitally recorded and transcribed. He was represented by Steven Welch, Legal Representative, from the Rains Lucia and Stern Attorney Office. The interview transcript was included with this case. The following is a summary of the interview.

On February 18, 2018, Deputy [redacted] was working Unit 113 on early morning shift. At 2331 hours, he heard a request for an additional patrol unit to respond to [redacted] East Avenue H-6, Lancaster. Deputy [redacted] acknowledged the request and responded to the location. Once he arrived, he saw Deputies [redacted] and Devoe standing side by side, approximately ten feet away from Suspect Clutter. Deputy [redacted] joined the deputies in their attempts to de-escalate the situation to no avail. Suspect Clutter

cursed at them and refused to cooperate. Pending the arrival of Sergeant Goedecke, they maintained a distance of ten feet from Suspect Clutter as they talked to him.

When Sergeant Goedecke arrived to the location, Deputy [redacted] informed Sergeant Goedecke of the situation. Sergeant Goedecke gave him a Taser to use as needed. Sergeant Goedecke attempted to verbally negotiate with Suspect Clutter for his peaceful surrender. The negotiation went on for approximately five to ten minutes without success. While Sergeant Goedecke talked with Suspect Clutter, Deputy Devoe checked Suspect Clutter's name, via the Mobile Digital Computer (MDC), and confirmed Suspect Clutter had a no bail warrant for his arrest.

Deputy [redacted] recalled Sergeant Goedecke videotaped the incident and informed Suspect Clutter he had a no bail warrant for his arrest. Suspect Clutter remained argumentative and refused to surrender. Sergeant Goedecke and the deputies formed a semi-circle in front of Suspect Clutter. When Sergeant Goedecke directed Deputy [redacted] to grab Suspect Clutter's right arm and Deputy Devoe to grab his left arm, Suspect Clutter backed away from them. He walked toward the front of the house in a northeasterly direction. When Sergeant Goedecke directed the deputies to stop Suspect Clutter from entering his house, Deputy [redacted] positioned himself by the front door on the concrete porch. Sergeant Goedecke then directed the deputies to grab Suspect Clutter and take him to the ground. He saw Deputy Devoe grab Suspect Clutter's left arm and pull him away from the porch. He also saw Deputy [redacted] grab Suspect Clutter's right arm as they moved off the front porch. Deputy Devoe placed his left leg in front of Suspect Clutter's feet and pulled Suspect Clutter's left arm downward, guiding his fall toward the dirt area. Suspect Clutter lost his balance and fell to the ground. The deputies maintained their control on Suspect Clutter's arms as they also went to the ground with Suspect Clutter.

Deputy [redacted] saw Suspect Clutter resist by pulling his arms away from the deputies and kicking his feet. Deputy [redacted] placed his left knee on Suspect Clutter's buttocks and pinned him down to stop him from kicking. After Deputies [redacted] and Devoe handcuffed Suspect Clutter, Deputy [redacted] repositioned his body to straddle Suspect Clutter's legs to hold them in place. He recalled Suspect Clutter complained of pain to his left arm, so they rolled him onto his right side. Suspect Clutter was kept on his right side, pending the arrival of the paramedics without further incident.